

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Setsuo KAJIWARA et al. :  
Serial No. NEW : **Attn: APPLICATION BRANCH**  
Filed March 12, 2004 : Attorney Docket No. 2004\_0409

ALLOY-BASED NANO-CRYSTAL TEXTURE  
AND METHOD OF PREPARING THE SAME  
**(Rule 1.53(b) Continuation  
of Serial No. 10/419,119,  
Filed April 21, 2003)**

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of ☒ the references listed on attached form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 was previously cited by or submitted to the Patent Office in prior grand-parent application Serial No. 08/938,522.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or


b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☒ a full or partial English language translation of record in the prior grand-parent application,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page ,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Setsuo KAJIWARA et al.

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March 12, 2004

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: March 12, 2004

ATTY DOCKET NO.  
2004\_0409SERIAL NO.  
NEWAPPLICANT  
Setsuo KAJIWARA et al.FILING DATE  
March 12, 2004

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,001,195	12/1999	Kajiwarra et al.			
	AB	5,547,633	8/1996	Muddle et al.			
	AC	4,919,177	4/1990	Homma			
	AD	5,350,468	9/1994	Masumoto et al.			
	AE	5,306,363	4/1994	Masumoto et al.			
	AF	5,178,689	1/1993	Okamura et al.			
	AG	5,069,731	12/1991	Yoshizawa et al.			
	AH	5,149,381	9/1992	Grewe et al.			
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ							
	AK							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AL	Merriman, A.D., "A Dictionary of Metallurgy", MacDonald & Evans, Ltd, London, page 138, 1958
	AM	Hawley, Gessner G., The Condensed Chemical Dictionary (8 <sup>th</sup> ed.), New York, Van Nostrand Reinhold Company 1971, pg. 827.
	AN	Abstracts of the Japan Institute of Metals, "Formation Mechanism of Nano-crystal and Tabular Aligned Precipitate in Ti-Ni Sputtered Thin Film", No. 151, p. 165, September 28, 1996
	AO	Kajiwarra et al., "Formation of nanocrystals with an identical orientation in sputter-deposited Ti-Ni thin films", Philosophical Magazine Letters, Vol. 74, No. 6, 395-404, December 1996

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.